

**Sisk, Richard**

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**From:** Richard Sisk <Sisk.Richard@epamail.epa.gov>  
**Sent:** Monday, September 22, 2014 3:48 PM  
**To:** Sisk, Richard  
**Subject:** Fw: Several questions for discussion at our meeting next Tuesday

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Subject: Several questions for discussion at our meeting next Tuesday

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Fonda, Doug, and Richard - For our meeting next Tuesday on VB/I70 OU1, we thought it might be helpful to pose several questions for you all to contemplate and consider.

EPA is thinking that we will have to issue an ESD to the 2003 OU 1 ROD to add specific ICs for properties that deny us access to sample or to perform a remedial action. Several questions we would like to discuss concern the Colorado Environmental Covenant (EC) law.

If we only do an ESD, is the EC law an ARAR, if yes, how are we going to get ECs or restrictive notices implemented? Is the State willing to unilaterally impose the restrictions, if EPA states in the ESD that the property owners who refuse access are responsible for implementing ICs?

Thanks and we'll speak to you on Tuesday.

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